

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAVID ERNESTO MACKEY,

Plaintiff,

v.

BRANDON PRICE, et al.,

Defendants.

No. 2:20-CV-1244-DMC-P

ORDER

Plaintiff, who is proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983.

For cases such as this, which are based on federal question jurisdiction, the federal venue statute requires that the action be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. See 28 U.S.C. § 1391(b). In this case, the alleged civil rights violations took place in Fresno County, which is within the boundaries of the Fresno division of the United States District Court for the Eastern District of California. See Local Rule 120(b). Pursuant to Local Rule 120(d), a civil action which has not been commenced in the proper division of the court may, on the court's own

1 motion, be transferred to the proper division. Because the Sacramento division of this court is not
2 the proper division, this action will be transferred to the Fresno division.

3 Accordingly, IT IS HEREBY ORDERED that this action is transferred to the
4 United States District Court for the Eastern District of California sitting in Fresno.

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7 Dated: July 22, 2020

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE